

The City Council of the City of Mattoon held a regular meeting in the Council Chambers at City Hall on August 21, 2007 after the 6:30 p.m. caucus session, where the Council discussed pending agenda items and heard concerns over problems with boiler slag in Lane Acres South.

Mayor White presiding.

Mayor White led the Pledge of Allegiance.

The following members of the Council answered roll call in person: YEA Commissioner David Cline, YEA Commissioner Randy Ervin, YEA Commissioner Joseph McKenzie, YEA Commissioner David Schilling, YEA Mayor Charles E. White.

Also in attendance in person were City personnel: City Administrator Alan Gilmore, City Attorney/Treasurer J. Preston Owen, Public Works Director David Wortman, Fire Chief Mike Chism, Assistant Chief Andy Adair, Community Development Coordinator Kyle Gill, Police Chief Larry Metzelaars, Deputy Chief David Griffith, Water Treatment Plant Operator Jim Lang and City Clerk Susan J. O'Brien.

## **CONSENT AGENDA**

*Items listed on the Consent Agenda are considered to be routine in nature and will be enacted by one motion. Prior to asking for a motion to approve the Consent Agenda, the mayor will ask if anyone desires to remove an item from the Consent Agenda for public discussion. No separate discussion of these items will occur unless a Council Member requests the item to be removed from the Consent Agenda. If an item is removed from the Consent Agenda, it will be considered elsewhere on the agenda for this meeting.*

Mayor White seconded by Commissioner Schilling moved to approve the consent agenda consisting of: minutes of the regular meeting August 7, 2007 and payroll and bills for the first half of August, 2007 and financial reports.

### **Bills & Payroll for the first half of August**

#### **General Fund**

Payroll		\$	277,575.83
Bills		\$	235,756.44
	Total	\$	513,332.27

#### **Hotel Tax Fund**

Payroll		\$	3,130.95
Bills		\$	5,426.16
	Total	\$	8,557.11

#### **Festival Management**

Bills		\$	9,647.91
	Total	\$	9,647.91

#### **Insurance & Tort Judgment**

Bills		\$	2,472.80
	Total	\$	2,472.80

#### **Capital Project Fund**

Bills		\$	8,885.70
	Total	\$	8,885.70

#### **Water Fund**

Payroll		\$	31,100.02
Bills		\$	159,071.34
	Total	\$	190,171.36

**Sewer Fund**

Payroll	\$	25,649.77
Bills	\$	<u>99,534.24</u>
Total	\$	125,184.01

**Cemetery Fund**

Payroll	\$	5,213.31
Bills	\$	<u>11,413.04</u>
Total	\$	16,626.35

**Health Insurance**

Bills	\$	<u>92,157.66</u>
Total	\$	92,157.66

**Motor Fuel Tax Fund**

Bills	\$	<u>190,747.17</u>
Total	\$	190,747.17

Mayor White declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

**PUBLIC PRESENTATIONS, PETITIONS AND COMMUNICATIONS**

*This portion of the City Council meeting is reserved for persons who desire to address the Council. The Illinois Open Meeting Act mandates that the City Council may NOT take action on comments received on matters that have not been identified on this agenda, but the Council may direct staff to address the topic or refer the matter for action on the agenda for another meeting. Persons addressing the Council are requested to limit their presentations to three minutes and to avoid repetitious comments.*

Commissioner Schilling appreciated the Lane Acres South residents for attending the meeting, noted the staff had been attempting to rectify the situation, and cautioned the residents with dust problems when applying oil and chip to roads.

Director Wortman announced an unscheduled retirement of an employee at the Water Treatment Plant, noted overtime would commence, and requested affirmation for advertising the position. There were no objections from the Council.

**NEW BUSINESS**

Commissioner Ervin seconded by Commissioner McKenzie moved to approve Council Decision Request 2007-782, approving the promotion of Fred Reynolds from probationary fireman to full-time status, effective August 17, 2007.

Mayor White opened the floor for discussion. No discussion

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Ervin seconded by Commissioner Cline moved to approve Council Decision Request 2007-783, approving the promotion of Adam Whalin from probationary fireman to full-time status, effective August 19, 2007.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Schilling seconded by Commissioner Ervin moved to adopt Resolution 2007-2708, authorizing the Mayor to execute agreements and amendments for implementation of Federal Transit Administration projects on behalf of the City of Mattoon, Illinois. [Mattoon Depot]

**RESOLUTION 2007-2708**

**RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT**

BE IT RESOLVED that the City of Mattoon, Illinois does hereby authorize the Charles E. White, Mayor to execute agreements and amendments, as necessary to implement Federal Transit Administration projects on behalf of the City of Mattoon, Illinois.

I certify that the above resolution was adopted by City of Mattoon, Illinois on August 21, 2007.

SIGNED:

WITNESSETH:

/s/ Charles E. White  
(Signature)

/s/ Susan J. O'Brien  
(Signature)

Mayor  
(Title)

City Clerk  
(Title)

8/22/07  
(Date)

8/22/07  
(Date)

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Schilling seconded by Commissioner McKenzie moved to adopt Resolution 2007-2709, authorizing the filing of applications with the Federal Transit Administration for Federal transportation assistance. [Mattoon Depot]

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**CITY OF MATTOON, ILLINOIS**

**RESOLUTION 2007-2709**

**Resolution authorizing the filing of applications with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for Federal transportation assistance authorized by 49 U.S.C. chapter 53, title 23 United States Code, and other Federal statutes administered by the Federal Transit Administration.**

**WHEREAS**, the Federal Transportation Administrator has been delegated authority to award Federal financial assistance for a transportation project;

**WHEREAS**, the grant or cooperative agreement for Federal financial assistance will impose certain obligations upon the Applicant, and may require the Applicant to provide the local share of the project cost;

**WHEREAS**, the Applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MATTOON, ILLINOIS**

1. That the Mayor or his designee is authorized to execute and file an application for Federal assistance on behalf of the City of Mattoon, Illinois with the Federal Transit Administration for Federal assistance authorized by 49 U.S.C. chapter 53, Title 23, United States Code, or other Federal statutes authorizing a project administered by the Federal Transit Administration.

2. That the Mayor or his designee is authorized to execute and file with its applications the annual certifications and assurances and other



Whereas, pursuant to the Constitution and the laws of the State of Illinois, and particularly the Municipal Housing Finance Law, 65 *Illinois Compiled Statutes 2006, 5/11-74.5-1 et seq.*, as supplemented and amended (the “*Act*”), the City Council of the Issuer has the power to issue its revenue bonds to aid in financing the cost of mortgage loans for one to four family residences in the City of Mattoon, Illinois; and

Whereas, it is now considered to be necessary and desirable and in the public interest of the residents of the City of Mattoon, Illinois, for such revenue bonds to be issued in an amount not to exceed \$500,000,000 in each of the next three (3) years, for the purpose of financing mortgage loans to low and moderate income persons for one to four family residences in the City of Mattoon, Illinois; and

Whereas, pursuant to the Constitution and the laws of the State of Illinois, and particularly Section 10 of Article VII of the 1970 Constitution of the State of Illinois and 5 *Illinois Compiled Statutes 2006, 220/1 et seq.*, as supplemented and amended (the “*Intergovernmental Cooperation Act*”), public agencies may exercise and enjoy with any other public agency in the State of Illinois any power, privilege or authority which may be exercised by such public agency individually, and pursuant to the Act, one or more public agencies (whether or not any of them are home rule units) may join together or cooperate with one another in the exercise, either jointly or otherwise, of any one or more of the powers conferred by the Act or other enabling acts or powers pursuant to a written agreement, and, accordingly, the Issuer has previously entered into an Intergovernmental Cooperation Agreement (the “*Cooperation Agreement*”) dated as of April 1, 2005, by and among the Issuer and certain other units of local government named therein (the “*Units*”), as from time to time supplemented and amended, to provide for the joint issuance of such revenue bonds to aid in providing an adequate supply of residential housing in such Units (the “*Program*”);

Now, Therefore, Be It Resolved by the City Council of the City of Mattoon, Coles County, Illinois, as follows:

*Section 1.* That, in order to provide decent, safe and sanitary housing that persons of low and moderate income in the City of Mattoon, Illinois, can afford, with the resulting public benefits expected to flow therefrom, it is deemed necessary and desirable for revenue bonds in an aggregate principal amount not to exceed \$500,000,000 to be issued in each of the next three (3) years (the “*Bonds*”), for the purpose of financing mortgage loans to persons of low and moderate income for one to four family residences located in the City of Mattoon, Illinois.

*Section 2.* That the form, terms and provisions of the Cooperation Agreement be, and they are hereby in all respects affirmed.

*Section 3.* That the Issuer is hereby authorized to apply for a volume cap allocation for calendar years 2008, 2009 and 2010 for the issuance of the Bonds, which volume cap, if granted, will be allocated to the issuance of the Bonds upon the written direction of the Mayor of the Issuer who is hereby authorized to execute any such written direction.

*Section 4.* That the Issuer hereby agrees to work with Stern Brothers & Co. to underwrite the Bonds and with Chapman and Cutler LLP, as Bond Counsel, in connection with the issuance of the Bonds during calendar years 2008, 2009 and 2010.

*Section 5.* That the Mayor, the City Clerk and all other proper officers, officials, agents and employees of the Issuer are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents and certificates as may be necessary to further the purposes and intent of this resolution, including without limitation to obtain an allocation of unified volume cap.

*Section 6.* That the provisions of this resolution are hereby declared to be separable, and if any section, phrase or provision of this resolution shall for any reason be declared to be invalid, such declaration shall not affect the remainder of the sections, phrases and provisions of this resolution.

*Section 7.* That all ordinances, resolutions or orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded; and that this resolution shall be in full force and effect upon its adoption and approval.

Presented, passed, approved and recorded this 21st day of August, 2007.

\_\_\_ /s/ Charles E. White

Mayor

[Seal]

Attest:

/s/ Susan J. O'Brien

City Clerk

Ayes: Commissioner Cline, Commissioner Ervin,  
Commissioner McKenzie, Commissioner Schilling, Mayor White

Nays: None

Absent or Not Voting: None

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Cline moved to adopt Resolution 2007-2711, authorizing an amendment to the 2006/2007 Technical Assistance agreement for an additional amount of \$12,000 for LUCA (Local Update of Census Addresses) project and fieldwork.

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**CITY OF MATTOON  
RESOLUTION NO. 2007-2711**

**RESOLUTION TO AMEND CONTRACTUAL AGREEMENT FOR  
TECHNICAL ASSISTANCE SERVICES WITH THE COLES COUNTY REGIONAL PLANNING AND DEVELOPMENT  
COMMISSION**

WHEREAS, the **City of Mattoon** selected the Coles County Regional Planning and Development Commission to provide certain Technical Assistance Services to the **City** from December 1, 2006 to November 30, 2007; and

WHEREAS, it the desire of the City of Mattoon to engage the Commission under said TA Contractual Agreement to provide special assistance (Local Update of Census Addresses – L.U.C.A.) in preparation of the 2010 U.S. Census and,

WHEREAS, it is necessary to amend the “Scope of Work” section of said TA Contractual Agreement to authorize said Commission to provide such special assistance, and,

WHEREAS, the **City Council** has examined the amended contract agreement, “scope of work” section, a copy of which is attached hereto and incorporated by reference and entitled "Technical Assistance Agreement Amendment # 2 between the **City of Mattoon IL** and the Coles County Regional Planning and Development Commission," and finds said contract agreement to be acceptable,

NOW, THEREFORE, BE IT RESOLVED by the **City Council** of the **City of Mattoon**, Illinois, that the **City** enter into and execute said Contract Agreement Amendment with the Coles County Regional Planning and Development Commission. The **Mayor** is authorized to execute said Agreement.

Presented, Passed and Adopted at a regular meeting of the **Mattoon City Council** this 21<sup>st</sup> day of August, **2007**.

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
<b>Mayor:</b> Charles E. White	X		

**City Council**

David Cline	X	
Randy Ervin	X	
Joseph McKenzie		X
David Schilling	X	

ATTEST:

APPROVED:

/s/ Susan J. O'Brien

**City Clerk**  
**(SEAL)**

/s/ Charles E. White

**Mayor**

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner McKenzie seconded by Commissioner Schilling moved to adopt Resolution 2007-2712, authorizing the Mayor and City Clerk to sign an AmerenCIPS Request for Street Lighting Additions, Removals, and Replacement for the installation of a street light located at 6709 North Country Club Road.

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**CITY OF MATTOON, ILLINOIS**  
**RESOLUTION 2007-2712**  
AMEREN CIPS  
REQUEST FOR STREET LIGHTING ADDITIONS,  
REMOVALS AND REPLACEMENTS

Municipality: City of Mattoon  
Address: 208 N 19th St.  
Contact Name: 1T - I Chris Hartbank  
Telephone No: 217-235-5171

Mayor/President /s/ Charles E. White  
Clerk /s/ Susan J. O'Brien

Date: 8/21/07  
Date: 8/21/07

Please make the following changes to street and traffic lighting facilities and adjust Ameren billing as shown below. The change in service is requested pursuant to the provisions of the Company's Rate 11 - Street and Traffic Lighting Service and General Terms and Conditions.

Location	Install or Remove	Number of Units	Size & Type of Unit	Customer or Company owned Size & Type of Unit	Monthly Price	Total	Install or Removed Billing Date (Ameren use Only)
6709 N Country Club Rd	Install	1	250 W HPS Area Light	Company	\$3.56	\$3.56	
					Total	\$3.56	

Total Adjustment to Monthly Billing - Subject to Ameren Verification (excluding applicable tax)  
\$ 3.56

Remarks: The cost for the electricity going through this light will be an average of \$11.70 month. \$3.56 per month charge for the fixture. A one time up front charge of \$2500.00 for the transformer

For Ameren Use Only

DWA/DOJM/JOB# 2Her260222 J4 e

Completed By: \_\_\_\_\_

New Monthly Billing Total:

By:

cc: Rates Public Affairs  
Operating Center

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner McKenzie moved to approve Council Decision Request 2007-784, approving a home occupation permit at 905 Hayes Avenue for sale of mail-order legal firearms and transfer documentation by Jimmy R. Caldwell, who may become a licensed dealer at this location if the use is in compliance with the zoning code.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Schilling seconded by Commissioner Ervin moved to approve Council Decision Request 2007-785, authorizing the Mayor to sign the attached Shelby Electric Cooperative Right-of-Way Easement for the placement of a utility pole on the south side of County Road 975 North just west of the Lake Mattoon beach.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Cline moved to adopt Special Ordinance 2007-1242, ratifying the appointment of David Griffith to the Police Chief position upon the retirement of Police Chief Metzelaars.

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## CITY OF MATTOON, ILLINOIS

### SPECIAL ORDINANCE NO. 2007-1242

#### AN ORDINANCE RATIFYING THE APPOINTMENT OF DAVID L. GRIFFITH TO THE POLICE CHIEF POSITION

**BE IT ORDAINED** by the City Council of the City of Mattoon as follows:

**Section 1.** The City Council hereby ratifies the City Administrator's appointment of David L. Griffith to the position of Police Chief effective upon the completion of retiring Police Chief Larry Metzelaars' final duty shift on September 14, 2007.

**Section 2.** This appointment is contingent upon the City Council ratifying an Employment Agreement with David L. Griffith for the position of Police Chief.

**Section 3.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 4.** This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor White, seconded by Commissioner Cline, adopted this 21st day of August, 2007, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,



Commissioner McKenzie, Commissioner Schilling

Mayor White

NAYS (Names): None

ABSENT (Names): None

Approved this 21<sup>st</sup> day of August, 2007.

/s/ Charles E. White

Charles E. White, Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien

/s/ J. Preston Owen

Susan J. O'Brien, City Clerk

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on August 22, 2007.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Ervin moved to recess to closed session at 7:14 p.m. pursuant to the Illinois Open Meetings Act for the purpose of considering the employment, performance or dismissal of employees of the municipality (5 ILCS 120(2)(c) (1)).

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Council reconvened at 7:47 p.m.

Attorney/Treasurer Owen announced the governor had signed the bill [HB1670] allowing two commissioners to discuss city business without violating the Open Meetings Act.

Mayor White seconded by Commissioner Ervin moved to adjourned at 7:51 p.m.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

/s/ Susan J. O'Brien

City Clerk